

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**NAPOLEON STEPHANY,**  
**Plaintiff,**

**v.**

**THE DEPARTMENT OF  
CORRECTIONS, *et al.*,**  
**Defendants.**

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**CIVIL ACTION NO. 19-CV-3140**

**ORDER**

AND NOW, this 4th day of September, 2019 upon consideration of Plaintiff Napoleon

Stephany's Motion to Proceed *In Forma Pauperis* (ECF No. 1), Prisoner Trust Fund Account Statements (ECF Nos. 3, 7), and Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. Napoleon Stephany, #ME-3292, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Superintendent of SCI Waymart or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Stephany's inmate account; or (b) the average monthly balance in Stephany's inmate account for the six-month period immediately preceding the filing of this case. The Superintendent or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Stephany's inmate trust fund account exceeds \$10.00, the Superintendent or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Stephany's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

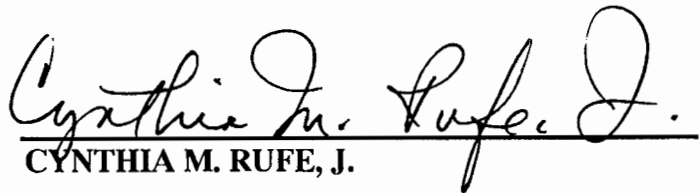
3. The Clerk of Court shall **SEND** a copy of this Order to the Superintendent of SCI Waymart.

4. The Complaint is **DEEMED** filed.

5. The Complaint is **DISMISSED with prejudice** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons set forth in the Court's Memorandum.

6. The Clerk is **DIRECTED** to mark this case **CLOSED**.

**BY THE COURT:**

  
CYNTHIA M. RUFÉ, J.